

Dear Committee Members,

I am writing to you with great urgency in regard to legislation being introduced to comply with the federal Adam Walsh Act (AWA). I realize a Senate Judiciary hearing has been set for this coming Tuesday, and I ask that you consider my concerns with this legislation.

My son is someone who suffers greatly due to the Sex Offender Registry laws. As an 11 year old boy, he made a mistake that continues to take its toll on him every day. As it can't be undone, I won't dwell on what happened, but will share with you that he was adjudicated for CSC 2 due to the fact he and a 7 year old boy played *Truth or Dare* and engaged in what the doctors who evaluated him explained as "sexual curiosity." While he would certainly like to turn back time, it's the consequences of being on the registry that pushed him to attempt suicide three years ago and cause him anxiety in his day to day life. As his mother, the impact is, at times, more than I can bear.

While I believe the registry is used as a tool to create public awareness, I also believe it's a tool that has created public panic. I realize the money associated with the legislation is important to Michigan, and I'd like to offer suggestions to make the registry serve its true purpose-to warn people of truly dangerous predators. Every evaluation we've had has stated my son shows no signs of being a predator. While information on the website is supposed to discriminate between predators and non-predators, believe me, it does not.

It's important to point out that many other states have language in place that protects people adjudicated as children. For example, according to *The Michigan Messenger*, our bordering states, Ohio, Indiana, and Illinois, have 19,288, 10,639, and 20,941 registered offenders, respectively, while Michigan has over 45,000. "Michigan has the third highest ratio of sex offenders of any state in the country."¹ These statistics act as a red flag that something is wrong with our state's registry laws. The other states listed do not require youthful offenders to register simply due to their lack of developmental maturity at the time of the act.

Here is what I propose:

1. Include language that removes any child 14 years old or younger at adjudication from the registry. It should be made retroactive to include everyone who falls under that description, especially those with no subsequent offenses.
2. Do not enact the "3 day notification" rule where registered offenders must alert local police when leaving home for 3 days. Taking into consideration the upcoming Thanksgiving weekend, anyone leaving to visit their grandparents in another town for three days would be forced to stop at the local police station before they left. Frankly, this is ludicrous, not only for the registrant but for our already overextended police forces.
3. Do not require the posting of registrants' employers. Employment is hard enough to find in our state right now. If employers are willing to employ people on the registry, they shouldn't be punished by the public for doing so. We need to have faith that the background checks done would alert employers, and that they will make an educated decision before hiring anyone. Honestly, although my son doesn't work with or around children, he would probably lose his job. To put that in perspective, losing his job is one of the "suicide triggers" we have to watch for.

As someone who works in a public school system, I would also like to look at this proactively. As the use of technology by young people grows exponentially, we're going to see an alarming increase in numbers

of people on the registry because of the reckless use of technology. Our school system has already had to deal with cases of kids "sexting" and using Skype in an inappropriate manner. We need to educate our youth and deal with these acts of indiscretion in an appropriate way. If not, the money used to punish and maintain a list of immature youthful antics is going to do our state more harm than good.

I appreciate your time, and ask you to use logic, reason, and compassion when you make your decisions.

Kathy B.

1 Garcia, David Alire. "Juveniles crowd Mich. Sex offender registry". 2 Oct. 2010.

<<http://michiganmessenger.com/34538/juveniles-well-represented-on-mich-sex-offender-registry>>